

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

P.J. Clarke's Washington, LLC
t/a P.J. Clarke's And SideCar Show
1600 K Street, NW Cause
Retailer CR - ANC-2B Hearing
License No. 84688
Case #15-AUD-00017

(Failed to File Quarterly
Statements-3rd Quarter 2014)

June 24, 2015

The Alcoholic Beverage Control Board
met in the Alcoholic Beverage Control Hearing
Room, Reeves Building, 2000 14th Street, N.W.,
Suite 400S, Washington, D.C. 20009, Chairperson
Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:

WALTER ADAMS, OAG

1 P-R-O-C-E-E-D-I-N-G-S

2 11:02 a.m.

3 CHAIRPERSON MILLER: Okay. Is
4 Clarke's And SideCar here? Okay. We understand
5 that your hearing may be rather short, so we are
6 going to call you out of order and then go back
7 to our Fact-Finding Hearing, Pizza No. 17,
8 because that may take longer.

9 So I'm calling Case No. 15-AUD-00017,
10 P.J. Clarke's And SideCar located at 1600 K
11 Street, N.W., License No. 84688, in ANC-2B.

12 MR. ADAMS: Good morning, Madam
13 Chairman, Members of the Board. Walter Adams
14 representing the District.

15 CHAIRPERSON MILLER: Good morning.
16 And you?

17 MR. SHIRLEY: I'm Scott Shirley,
18 General Manager for P.J. Clarke's.

19 CHAIRPERSON MILLER: What's your name?

20 MR. SHIRLEY: Scott Shirley, S-H-I-R-
21 L-E-Y.

22 CHAIRPERSON MILLER: General manager?

1 MR. SHIRLEY: Yes.

2 CHAIRPERSON MILLER: Do you have
3 authority to represent them?

4 MR. SHIRLEY: Yeah, I have a letter
5 from the owner.

6 CHAIRPERSON MILLER: Oh, good. Have
7 you passed that in yet?

8 MR. SHIRLEY: No.

9 CHAIRPERSON MILLER: Oh, all right.
10 I think that would be good to do. All right.
11 This is -- all right. I'll take a quick look at
12 it.

13 Okay. You have the authority to bind
14 and represent the establishment at this hearing.
15 Okay. Good. Thank you. All right.

16 So this is a hearing. Are there some
17 preliminary matters?

18 MR. ADAMS: Yes, there is, Madam
19 Chairman.

20 CHAIRPERSON MILLER: Okay.

21 MR. ADAMS: The parties or the
22 District and Mr. Shirley have spoken and would

1 like to make an offer in compromise proposal.
2 Specifically, this is for the single charge of
3 the establishment failing to, in a timely basis,
4 file its quarterly report for the third quarter
5 of 2014 and which, you know, would be -- which is
6 what they are charged for, which would be a
7 secondary tier violation.

8 To solve it, the District is -- sorry.
9 The parties are proposing to offer a settlement
10 whereby the establishment pays a fine in the
11 amount of \$2,000 to be paid today.

12 And just for the Board's information,
13 according to my calculations, it's the
14 establishment's fifth secondary tier violation in
15 a five year period.

16 CHAIRPERSON MILLER: Yes. And has the
17 quarterly statement been filed?

18 MR. ADAMS: Yes, it has been. It was
19 filed -- it was about -- the Board's indulgence?

20 CHAIRPERSON MILLER: Okay.

21 MR. ADAMS: I just want to make sure.
22 Yes, Madam Chairman, it was filed on February 27,

1 2015.

2 CHAIRPERSON MILLER: Okay. Good. All
3 right. Mr. Shirley, do you accept this Offer in
4 Compromise of \$2,000 to be paid today?

5 MR. SHIRLEY: Yes.

6 CHAIRPERSON MILLER: Okay. And you
7 realize you waive your right to this hearing and
8 to an appeal?

9 MR. SHIRLEY: Yes.

10 CHAIRPERSON MILLER: Okay. Board
11 Members have any questions?

12 MEMBER BROOKS: Second it.

13 CHAIRPERSON MILLER: Okay. Then I
14 move to approve this Offer in Compromise and Mr.
15 Brooks has seconded the motion.

16 All those in favor say aye.

17 ALL: Aye.

18 CHAIRPERSON MILLER: All those
19 opposed? All those abstaining? The motion
20 passes 4-0-0. Okay. Thank you.

21 Okay. All right.

22 MR. ADAMS: Thank you, Madam Chairman.

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CHAIRPERSON MILLER: Thank you.

(Whereupon, the Show Cause Hearing in
the above-entitled matter was concluded at 11:06
a.m.)

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